

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-127
SENATE BILL 15**

AN ACT TO ALLOW STATE-OWNED PROPERTY TO BE MOVED FROM ONE COUNTY WATER AND SEWER DISTRICT TO ANOTHER AND TO INCREASE THE MAXIMUM ANNUAL PER DIEM OF MEMBERS OF WATER AND SEWER AUTHORITIES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 6 of Chapter 162A of the General Statutes is amended by adding the following new section to read:

"§ 162A-87.1B. Transfer of State-owned property from one district to another.

If any property owned by the State is located in a county water and sewer district, the board of commissioners of that county by resolution may transfer the property to another county water and sewer district in that county. This section only applies if the State acquired the property from the county. Any such resolution shall become effective on the date specified in the resolution, and a copy of the resolution shall be sent to the Department of Administration."

SECTION 2. G.S. 162A-5(c) reads as rewritten:

"(c) Each member of the authority before entering upon his duties shall take and subscribe an oath or affirmation to support the Constitution of the United States and of this State and to discharge faithfully the duties of his office, and a record of each such oath shall be filed with the secretary of the authority.

The authority shall select one of its members as chairman and another as vice-chairman and shall also select a secretary and a treasurer who may but need not be members of the authority. The offices of secretary and treasurer may be combined. The terms of office of the chairman, vice-chairman, secretary and treasurer shall be as provided in the bylaws of the authority.

A majority of the members of the authority shall constitute a quorum and the affirmative vote of a majority of all of the members of the authority shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all of the duties of the authority. The members of the authority may be paid a per diem compensation set by the authority which per diem may not exceed the total amount of ~~two thousand dollars (\$2,000)~~ four thousand dollars (\$4,000) annually, and shall be reimbursed for the amount of actual expenses incurred by them in the performance of their duties."

SECTION 3. This act is effective when it becomes law. For each water and sewer authority organized under Article 1 of Chapter 162 of the General Statutes, Section 2 of this act applies on the first day of the fiscal year of the authority that begins on or after the date this act becomes effective.

In the General Assembly read three times and ratified this the 23rd day of June, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 1:17 p.m. this 29th day of June, 2005